

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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| DAVID PUTZER, |) | |
| |) | |
| Plaintiff, |) | 3:07-cv-00498-LRH-RAM |
| |) | |
| v. |) | |
| |) | <u>ORDER</u> |
| GLEN WHORTON, et al., |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

Before this Court is the Report and Recommendation of U.S. Magistrate Judge Robert A. McQuaid (#155¹) entered on August 9, 2010, recommending granting Defendants' Motion for Summary Judgment (#124) filed on February 18, 2010, and denying Plaintiff's Motion for Summary Judgment (#131) filed on March 16, 2010, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 1B 3-2 of the Rules of Practice of the United States District Court for the District of Nevada.

The Court has conducted its *de novo* review in this case, has fully considered the pleadings and memoranda of the parties and other relevant matters of record pursuant to 28 U.S.C. § 636 (b) (1) (B) and Local Rule IB 3-2. The Court determines that the Magistrate Judge's Report and Recommendation (#155) entered on August 9, 2010, should be adopted and accepted.

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¹Refers to court's docket number.

1 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation
2 (#155) entered on August 9, 2010, is adopted and accepted, and Defendant's Motion for Summary
3 Judgment (#124) is GRANTED and Plaintiff's Motion for Summary Judgment (#131) is DENIED.

4 IT IS SO ORDERED.

5 DATED this 17th day of September, 2010.

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LARRY R. HICKS
UNITED STATES DISTRICT JUDGE